

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT WASHINGTON
SEATTLE DIVISION**

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

v.

DRAGONCHAIN, INC., DRAGONCHAIN
FOUNDATION, THE DRAGON
COMPANY, and JOSEPH J. ROETS,

Defendants.

Case No. 22-cv-01145-JNW

Hon. Jamal N. Whitehead

**JOINT MOTION TO MODIFY
SCHEDULING ORDER**

Pursuant to LCR 16(b)(6), Plaintiff Securities and Exchange Commission (“Plaintiff” or “SEC”) and Defendants Dragonchain, Inc., Dragonchain Foundation, The Dragon Company, and Joseph J. Roets (“Defendants”) (collectively, “Parties”), through their undersigned counsel of record, hereby jointly move the Court to modify the Civil Trial Scheduling Order entered on September 7, 2023 (Dkt. 27, “Scheduling Order”). The Parties’ requested modifications and good cause basis for these modifications are set forth below.

1 **A. Basis for Proposed Modifications**

2 Under the current Scheduling Order, fact discovery is set to close in less than two weeks, on
3 March 25, 2024. The Parties have made progress on discovery since the date of the Parties'
4 September 2023 motion (Dkt. No. 26) to modify the original scheduling order in this case. (Dkt. No.
5 20). However, in light of the status of fact discovery, and the limited time remaining in fact
6 discovery, the parties seek an approximate 180-day extension of the close of fact discovery, as well
7 as corresponding 180-day extensions of subsequent case deadlines. Written discovery is still
8 ongoing, and the Parties have a number of depositions to take.

9 To date, the Parties have propounded document requests and interrogatories to each other.
10 The SEC has provided written responses to Defendants' requests and has produced certain
11 documents responsive to the requests. Defendants have advised the SEC that Defendants intend to
12 serve additional document requests and interrogatories upon the SEC. Defendants have responded
13 to the SEC's document requests and interrogatories. In November 2023, the Parties met and
14 conferred by videoconference regarding Defendants' responses to the SEC's discovery requests. As
15 a result of this meet-and-confer, Defendants agreed to supplement their responses by February
16 2024. However, in February 2024, Defendants' lawyers advised the SEC that Defendants needed
17 additional time to provide supplementation of Defendants' responses to the SEC's requests.
18 Defendants have not yet supplemented their responses to the SEC's requests. In February 2024, the
19 SEC served deposition subpoenas on three non-parties, and the SEC also requested production of
20 documents from one of these subpoenaed non-parties. One of the depositions of the subpoenaed
21 non-parties has been scheduled for late April 2024 in Seattle. The Parties are attempting to schedule
22 the depositions of the other subpoenaed non-parties for mutually convenient dates and locations.
23 The SEC is also negotiating with one of the subpoenaed non-parties to establish a revised deadline
24 for the non-party's production of documents responsive to the SEC's subpoena. The SEC intends to
25 subpoena additional non-parties for depositions, as well as notice the depositions of one of more
26 representatives of the Defendants.

The Parties' proposed schedule modifications adjust the fact discovery period by approximately 180 days (from March 25, 2024 to September 23, 2024), and provide proportional 180-day extensions of all subsequent case deadlines, including the trial date. There is good cause for these adjustments, in light the status of fact discovery, the progress that the Parties have made in conducting discovery, and the limited time remaining in fact discovery, as summarized above.

B. PROPOSED REVISED SCHEDULE

The chart below identifies the Parties' proposed revisions to the case schedule to account for the issues identified above.

EVENT	SCHEDULING ORDER (Dkt. 27)	JOINT MODIFICATION PROPOSAL
Discovery completed by [Close of Fact Discovery]	March 25, 2024	September 23, 2024
Mediation completed by	April 8, 2024	October 7, 2024
Dispositive motions due by	April 22, 2024	October 21, 2024
Motions in Limine due by	July 12, 2024	January 10, 2025
Pretrial order due by	July 12, 2024	January 10, 2025
Proposed verdict forms, voir dire, and jury instructions due by	July 16, 2024	January 17 2025
Trial briefs due by	July 18, 2024	January 21, 2025
Jury trial begins	July 22, 2024	January 27, 2025

Dated: this 12th day of March, 2024

Respectfully submitted,

**UNITED STATES SECURITIES AND
EXCHANGE COMMISSION**

/s/ Eric M. Phillips

By: One of Its Attorneys

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pursuant to LCR 83.1(c) (2))

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10 Respectfully submitted,
11 DRAGONCHAIN, INC., DRAGONCHAIN
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13 AND JOHN J. ROETS
14 /s/ David M. Otto

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ORDER

IT IS SO ORDERED.

DATED this 21st day of March, 2024.



Jamal N. Whitehead
United States District Judge